

**MAP FAMILY LAW ADR PROGRAM
COMPLAINT PROCEDURE PROTOCOLS**

EFFECTIVE: JULY 1, 2004

(Revised April 6, 2007)

In accordance with program policy and California Rule of Court §3.865, the MAP Family Law ADR Program ("Family Law Program") has established the following guidelines for processing complaints from ADR session participants that involve Family Law Program panelists:

1. Any complaints brought against the program or its panelists must be submitted in writing to the Family Law ADR Program Coordinator ("Coordinator"). Complaints may be submitted through program evaluation forms or by letter.
2. The Coordinator will review all evaluation forms and other written feedback received by the program from the public. If a complaint or series of complaints have been raised about a particular panelist, the Coordinator will contact ADR session participants and the panelist in question in order to further assess the alleged conduct.
3. If the complaint arises from a mediation session, the Coordinator will gather information only as to the alleged conduct of the mediation panelist. In accordance with California Evidence Code §§1115 et seq., the Coordinator will refrain from inquiring as to direct communications among mediation session participants.
4. Every effort will be made to first seek informal solutions to complaints. The majority of concerns raised in evaluation forms are successfully handled in this manner by the program.
5. The Coordinator will review the complaint and investigation information with the ADR Director ("Director") to determine whether or not further investigation and/or disciplinary action may be appropriate.
6. If the Director and the Coordinator feel the complaint rises to the level of possible disciplinary action, the Director may convene a three-member subcommittee of the MAP Family Law ADR Advisory Committee to serve as the Family Law Program Review Board ("FLPRB") to conduct a hearing. FLPRB will be comprised of members of the MAP Family Law ADR Advisory Committee Subcommittee on Standards.
7. The Coordinator will send the panelist written notice of the date, time and place of the FLPRB hearing and the complaint asserted against him/her no less than twenty days prior to said hearing. The hearing may be noticed less than twenty days if the conduct under review immediately endangers the public interest.
8. The FLPRB will have jurisdiction to hear all matters involving suspension or removal under Item 4 of the "Resignation, Suspension and Removal From Multi-Option ADR Panel" protocols.
9. The FLPRB will render its decision within forty-five days from the date that the notice of suspension or removal was first given to the panelist, unless said time is extended with the panelist's consent.
10. Any panelist may appeal the decision of the FLPRB to the Family Law Advisory Committee as a whole within ten days of being notified of suspension or removal.
11. Except for those complaints appealed to the Family Law Advisory Committee, complaints received by program staff will be kept confidential and will not be discussed with non-ADR program court staff or court trial judges.

Participation in the San Mateo Superior Court's Family Law ADR Program rests solely within the Court's discretion and at the Court's pleasure.